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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: April 19, 2006 Name: John Murray, Ph.D.

Signature: John Murray

BRINKS  
HOFFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Gary J. Nabel et al.

Appln. No.: 09/663,889

Filed: September 18, 2000

For: Kits for Site-specifically Transforming Cells  
in Vivo

Examiner: Robert M. Kelly

Art Unit: 1632

Attorney Docket No: 8642/91

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Comments on Statement of Reasons for Allowance; copy of Third Supplemental Information Disclosure Statement
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+ \$180=			+ \$360=	
					Total	\$		Total	\$

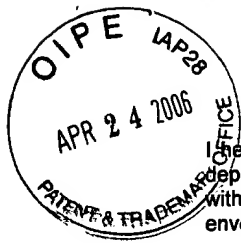
Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

April 19, 2006  
Date

John Murray  
John Murray, Ph.D. (Reg. No. 44,251)



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COMMISSIONER FOR PATENTS  
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on April 19, 2006

Date of Deposit

John Murray

Name of applicant, assignee or  
Registered Representative

*John Murray*

Signature

April 19, 2006

Date of Signature

Case No. 8642/91

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary J. Nabel *et al.*

Serial No.: 09/663,889

Filed: September 18, 2000

For: KITS FOR SITE-SPECIFICALLY  
TRANSFORMING CELLS IN VIVO

Examiner: Kelly, Robert M.

Group Art Unit: 1632

Comments on Statement of Reasons for Allowance

MAIL STOP AFTER FINAL  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

Dear Sir:

During a review of the prosecution history of this application, we became aware that the documents in the PTO-1449 form filed with an Information Disclosure Statement on November 17, 2004 were not initialed by the Examiner. A copy of this form is attached for the convenience of the

Examiner. Applicants request an initialed copy of the PTO-1449 form. If, for any reason, the Examiner feels that an interview would resolve any remaining issues, he is respectfully requested to contact the undersigned attorney at (312) 321-4229.

Respectfully submitted,

Dated: April 19, 2006

John Murray

John Murray, Ph.D.  
Registration No. 44,251  
Attorney for Applicants

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
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